

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

IN RE:

Case No. 09-52377

GARNELL McAFEE, *pro se*, and
MARILYN McAFEE, *pro se*,

Chapter 7

Judge Thomas J. Tucker

Debtor.

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ORDER DENYING MOTION FOR RECONSIDERATION

This case comes before the Court on Debtor's "Motion for Reconsideration," filed on September 17, 2009 (Docket # 31, the "Motion"), which this Court construes as a motion for reconsideration of, and for relief from, the September 9, 2009 Order dismissing this case (Docket # 29), and

The Court having reviewed and considered the Motion, and

The Court finds the Motion fails to demonstrate a palpable defect by which the Court and the parties have been misled, and that a different disposition of the case must result from a correction thereof. *See* Local Rule 9024-1(a)(3).

The Court also finds that the allegations in the Motion do not establish excusable neglect under Fed.R.Civ.P. 60(b)(1), FedR.Bankr.P. 9024, or any other valid ground for relief from the order dismissing this case.

In addition, the Court notes that Debtor's Motion says that they will pay the filing fees owing for Case Nos. 06-48798 and 06-46860 by September 15, 2009. But the Court's docket does not indicate that any such payment has been made in either case.

NOW, THEREFORE,

IT IS ORDERED that the Motion should be, and is, DENIED.

Signed on September 24, 2009

/s/ Thomas J. Tucker
Thomas J. Tucker
United States Bankruptcy Judge